

§ 110.9

(i) Other nuclear-related commodities are under the export licensing authority of the Department of Commerce.

[61 FR 35602, July 8, 1996, as amended at 65 FR 70290, Nov. 22, 2000]

§ 110.9 List of Nuclear Material under NRC export licensing authority.

- (a) Special Nuclear Material.
- (b) Source Material.
- (c) Byproduct Material.
- (d) Deuterium.
- (e) Nuclear grade graphite for nuclear end use.

[55 FR 30450, July 26, 1990, as amended at 70 FR 41939, July 21, 2005]

§ 110.9a List of nuclear equipment and material under NRC import licensing authority.

- (a) Production and utilization facilities.
- (b) Special nuclear material.
- (c) Source material.
- (d) Byproduct material.

[49 FR 47198, Dec. 3, 1984. Redesignated at 55 FR 30450, July 26, 1990, and amended at 57 FR 18393, Apr. 30, 1992; 58 FR 13003, Mar. 9, 1993]

Subpart B—Exemptions

§ 110.10 General.

(a) In response to a request or on its own initiative, the Commission may grant an exemption from the regulations in this part, if it determines that the exemption:

- (1) Is authorized by law;
- (2) Is not inimical to the common defense and security; and
- (3) Does not constitute an unreasonable risk to the public health and safety.

(b) An exemption from statutory licensing requirements, as authorized by sections 57d, 62, and 81 of the Atomic Energy Act, will be granted only after coordination with the Executive Branch.

(c) The granting of an exemption does not relieve any person from complying with the regulations of other U.S. Federal and/or State government

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agencies applicable to exports or imports under their authority.

[49 FR 47198, Dec. 3, 1984, as amended at 58 FR 13003, Mar. 9, 1993; 65 FR 70290, Nov. 22, 2000; 75 FR 44087, July 28, 2010]

§ 110.11 Export of IAEA safeguards samples.

A person is exempt from the requirements for a license to export special nuclear material set forth in sections 53 and 54d. of the Atomic Energy Act and from the regulations in this part to the extent that the person exports special nuclear material in IAEA safeguards samples, if the samples are exported in accordance with § 75.8 of this chapter, or a comparable Department of Energy order, and are in quantities not exceeding a combined total of 100 grams of contained plutonium, uranium-233 and uranium-235 per facility per year. This exemption does not relieve any person from complying with parts 71 or 73 of this chapter or any Commission order under section 201(a) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)).

[75 FR 44087, July 28, 2010]

Subpart C—Licenses

SOURCE: 49 FR 47198, Dec. 3, 1984, unless otherwise noted.

§ 110.19 Types of licenses.

Licenses for the export and import of nuclear equipment and material in this part consist of general licenses and specific licenses. A general license is effective without the filing of an application with the Commission or the issuance of licensing documents to a particular person. A specific license is issued to a named person and is effective upon approval by the Commission of an application filed pursuant to the regulations in this part and issuance of licensing documents to the applicant.

[75 FR 44087, July 28, 2010]

§ 110.20 General license information.

(a) A person may use an NRC general license as authority to export or import nuclear equipment or material, if the nuclear equipment or material to be exported or imported is covered by the NRC general licenses described in